

AMENDED

Nº 32094

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Battle Creek
Date of filing in State Engineer's Office..... JUN 15 1977

Returned to applicant for correction.....

Corrected application filed..... AUG 2 1977

Map filed..... AUG 2 1977

The applicant..... *Ken H. Earp*

799 Fletcher Ln. Suite 102....., of *Havyard*.....
Street and No. or P.O. Box No. City or Town

California 94544....., hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... *Underground*.....
Name of stream, lake or other source.

2. The amount of water applied for is..... *6.0*.....second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....acre-feet

3. The water to be used for..... *Irrigation and Domestic*.....
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... *1000*

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point:..... *SE¼NW¼ Section 11, T. 40N.,*

R. 27E., M.D.B. & M. or at a point from which the NW¼ corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
Section 11 bears N. 16° 07'E. a distance of 1481 feet.
it should be stated.

6. Place of use..... *W¼SW¼ Section 1; S¼ Section 2; SE¼ Section 3; NE¼NE¼ Section*
Describe by legal subdivision, if on unsurveyed land it should be so stated.

10; N¼N¼, Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, Section 11; SW¼, S¼NW¼,
NW¼NW¼ Section 12; NW¼NW¼ Section 13; N¼NE¼ Section 14; all in
T. 40N., R. 27E., M.D.B. & M.

7. Use will begin about..... *Jan. 1*..... and end about..... *Dec. 31*....., of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... *well, pump and pipelines*

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works \$15,000
10. Estimated time required to construct works 1 1/2
11. Estimated time required to complete the application to beneficial use 3 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Map to accompany this application is filed under

Application No. 32092

Applicant Ken H. Earp

By s/ Charles C. Armuth, Jr.
772 2nd Street
Elko, Nevada 89801

Compared lm/ga bl/jv

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before April 9, 1979

Proof of commencement of work shall be filed before May 9, 1979

Work must be prosecuted with reasonable diligence and be completed on or before April 9, 1980

Proof of completion of work shall be filed before May 9, 1980

Application of water to beneficial use shall be made on or before April 9, 1983

Proof of the application of water to beneficial use shall be filed on or before May 9, 1983

Map in support of proof of beneficial use shall be filed on or before May 9, 1983

Commencement of work filed MAY 17 1979

Completion of work filed SEP 2 1981

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk Page

County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 9th day of OCTOBER

A.D. 19 78

[Signature]
 State Engineer